



The Commonwealth of Massachusetts

Division of Marine Fisheries

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DANIEL J. MCKIERNAN
Director

January 22, 2024

Mark S. Ells
Town of Barnstable
Town Hall
367 Main Street
Hyannis, MA 02601

Dear Mr. Ells:

The Massachusetts Department of Public Health (DPH) has notified the Massachusetts Division of Marine Fisheries (DMF) of an outbreak of Norovirus illness that may be linked to oysters harvested from the Barnstable Harbor (CCB31) shellfish growing area in the Town of Barnstable. Oysters linked to these illnesses were harvested on December 17, 2023 and consumed raw on January 3, 2024.

Under the requirements of the National Shellfish Sanitation Program (NSSP) Model Ordinance, when shellfish are implicated in an illness the Shellfish Control Authority is required to conduct an investigation to determine whether or not the implicated growing area should be closed to shellfish harvest. In accordance with Chapter II @.01 of the NSSP Model Ordinance, DMF is issuing a **precautionary closure of all classification areas within CCB31 effective immediately** while DMF and DPH complete the illness investigation.

Under the authority of Massachusetts General Laws Chapter 130, Section 74A, the status of the below-identified area shall be changed to "**Closed to Shellfishing**" except for bay scallops harvested for the adductor muscle only. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish, and the possession of shellfish from the below area is prohibited until further notice.

Under authority of 322 CMR 7.01 (7) all permits issued thereunder are hereby conditioned to prohibit the taking, selling or possession of shellfish from the area listed below.

**STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH
Except scallops harvested for adductor muscle only**

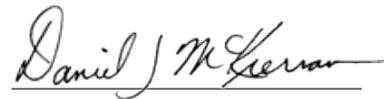
CCB31

Barnstable Harbor North

“The waters, flats and all tributaries of Barnstable Harbor in the Town of Barnstable, westerly of a line drawn across the entrance of Barnstable Harbor from the Yarmouth/Barnstable Town Line at the mouth of Mill and Short Wharf Creeks to Beach Point at the eastern end of Sandy Neck; northerly of a line drawn across the mouth of Barnstable Inner Harbor and Maraspin Creek; northeasterly of a line drawn across the mouth of the Barnstable Marshes and Scorton Creek from Calves Pasture Point to the southeast tip of Sand Island; thence from the northernmost point of Sand Island to Slough Point, continuing northerly to the north side of the Scorton Creek on Sandy Neck.”

This shellfish growing area shall remain in the “**Closed to Shellfishing**” status until notification is made by the Division that the area has been placed in the open status.

Sincerely,



Daniel J. McKiernan, Director
MA Division of Marine Fisheries

Cc: E. Hickey, M. Moore, DPH
P. Moran, C. Baker, MEP
R. Glenn, C. Petitpas, M. Camisa, A. Boeri, DMF
J. Hobill, DEP
FDA
A. Croteau, Barnstable Shellfish Constable